

REMARKS

Claims 1 and 19, the only two independent claims other than claims 16 and 29, have been amended in accordance with the kind suggestion of the Examiner to incorporate the embodiments of paragraphs 35 and 38. The embodiments of paragraph 35 have been incorporated; as have the embodiments of paragraph 38 in combination with paragraph 39. Applicants note that presently pending claims 5 and 20 include specifications of numbers of carbons and additional substituents and these aspects have been included in the embodiments put into claims 1 and 19 from paragraphs 38 and 39 of the specification. Claims 1 and 19 have also been amended to clarify the nature of X¹ is supported in paragraph 41 of the specification. Claims 5 and 20 have been amended to correct antecedent basis. No other amendments have been made. As the amendments do not represent new matter, entry of the amendments is respectfully requested.

With regard to the species election, applicants are not clear on what motivated the election of the species chosen, as they are unable to find this species among compounds P1-P106. In any event, the species searched does not fall within the scope of present claims 1 or 19.

The Rejection Under 35 U.S.C. § 112, Written Description

As applicants have adopted the suggestion made by the Examiner to incorporate the specific embodiments set forth in the specification, it is believed that the present claims currently rejected (claims 1-5, 7, 9-15, 19-28 and 30) are now free of this basis for rejection.

The Rejection Under 35 U.S.C. § 112, First Paragraph, Enablement

These same claims were rejected as lacking enablement. As the Examiner has acknowledged that the embodiments set forth in the specification at the cited paragraphs as well as

the specific compounds set forth in Figure 1 are enabled, it is believed this basis for rejection, too, is obviated by amendment.

The Rejection for Obviousness

Claims 1-5, 7, 9-15, 19-28 and 30 were rejected as assertedly obvious over Laigle (EP 0458387). The compounds disclosed by Laigle, as depicted on page 9 of the Office action, differ in more respects from the claimed subject matter than in the length of the chain presented in the present claims as X². The claims have been amended to insert specific embodiments of Ar, these embodiments do not include the bicyclic system set forth in Laigle. The clarifying amendment to claims 1 and 19 that X¹ is a 1-5 membered chain that links piperazine to Ar clarifies that the saturated portion of the bicyclic system cannot be interpreted as the linker.

Therefore, the compounds as now claimed differ from and are not suggested by Laigle.

Conclusion

The rejections have been addressed by amendment. The rejections under § 112 may be withdrawn in view of introducing the specific embodiments set forth in the specification. The rejection over the art may be withdrawn on the same basis. Claims 16 and 29, indicated as allowable if in independent form are already in independent form and are thus in a position for allowance. Passage of all pending claims, claims 1-5, 7, 9-16 and 19-31, is therefore respectfully requested.

If minor issues remain that could be handled over the phone, a telephone call to the undersigned would be greatly appreciated.

